

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BOB BEASLEY,

Plaintiff,

V.

DOUG WADDINGTON, and LOREN
SHUMATE,

Defendants.

Case No. C05-5388RBL

**ORDER DENYING
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT**

The Court, having reviewed plaintiff's complaint, the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objections to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Defendants' motion for summary judgment is DENIED;
- (3) The Clerk is directed to appoint counsel from the pro bono panel to represent plaintiff; and
- (4) The Clerk is directed to send copies of this Order to plaintiff and to the Hon. J. Kelley

DATED this 17th day of May, 2006.

Ronald B. Leighton
RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE